

Attorney Docket No. 018995-452

Patent

018995-452

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nishizumi Nishimuta et al.

Application No.: 10/046,575

Filing Date: January 16, 2002

Title: EXTERNAL PREPARATION FOR SKIN DISEASES CONTAINING NITROIMIDAZOLE

Group Art Unit: 1614

Examiner: Vickie Kim

Confirmation No.: 4939

FIFTH
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a FIFTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

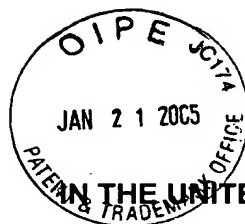
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By


Susan M. Dadio

Registration No. 40,373

Date: January 21, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------------------------|---|------------------------|
| In re Patent Application of |) | |
| Nishizumi Nishimuta et al. |) | Group Art Unit: 1614 |
| Application No.: 10/046,575 |) | Examiner: Vickie Kim |
| Filed: January 16, 2002 |) | Confirmation No.: 4939 |
| For: EXTERNAL PREPARATION FOR SKIN |) | |
| DISEASES CONTAINING |) | |
| NITROIMIDAZOLE |) | |

**FIFTH
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. Also enclosed is a copy of a Supplemental European Search Report mailed on December 6, 2004 in connection with the corresponding European Application.

Foreign Patent Documents

1. REDMOND, International Publication No. WO 99/04829, published on February 4, 1999.
2. MACKAY et al., Canadian Patent Application No. 2,161,737, published on May 1, 1997.
3. DONG, Canadian Patent Application No. 1,137,890, published on December 18, 1996 (XP-002305924 - Abstract Only).
4. YANG, Canadian Patent Application No. 1,068,038, published on January 20, 1993 (XP-002305925 - Abstract Only).

5. NAMOKONOV, Russian Patent Application No. 2 080 864, published on June 10, 1997 (XP-002305926 - Abstract Only).

6. NORIA, Japanese Patent Application No. 9 157161, published on June 17, 1997 (Abstract Only).

7. KAMISHITA et al., European Patent Application No. 0 685 230 A1, published December 6, 1995.

Non-Patent Documents

1. FARAH et al., "Tinidazole-Ticoconazole Combination in the Treatment of Vaginal Infection Due to Trichomonas Gardnerella-Vaginalis or Candida-Albicans," J BRAS GINECOL., 1987, vol. 97, no. 1/2, pp. 43-47, Biological Abstracts – Microfilms, Biosis. Philadelphia, PA, U.S., (XP002091996).

2. NANDA, "Common dermatoses," American Journal of Obstet. Gynecol., 1995, vol. 173, no. 2, pp. 488-495, The Library of the National Medical Society (XP-002305923).

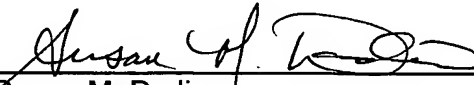
The information is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date January 21, 2005

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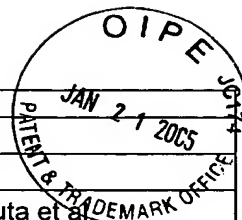
FIFTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|------------------------|---------------------------|
| Application Number | 10/046,575 |
| Filing Date | January 16, 2002 |
| First Named Inventor | Nishizumi Nishimuta et al |
| Examiner Name | Vickie Kim |
| Attorney Docket Number | 018995-452 |



U.S. PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS | | | | | | |
|-------------------|-----------------|----------------------|---------------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|---------------|
| | | | | | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec |
| | 99/04829 | | International | 02-04-1999 | | | | X | | | |
| | 2,161,737 | | Canada | 05-01-1997 | | | | X | | | |
| | 1,137,890 | | Canada | 12-18-1996 | | | | X | | X | |
| | 1,068,038 | | Canada | 01-20-1993 | | | | X | | X | |
| | 2,080,864 | | Russia | 06-10-1997 | | | | X | | X | |
| | 9 157161 | | Japan | 06-17-1997 | | | | X | | X | |
| | 0 685 230 | | Europe | 12-06-1995 | | | | X | | | |

NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|-------------------|---|
| | FARAH et al., "Tinidazole-Ticoconazole Combination in the Treatment of Vaginal Infection Due to Trichomonas Gardnerella-Vaginalis or Candida-Albicans," J BRAS GINECOL., 1987, vol. 97, no. 1/2, pp. 43-47, Biological Abstracts – Microfilms, Biosis. Philadelphia, PA, U.S., (XP002091996). |
| | NANDA, "Common dermatoses," American Journal of Obstet. Gynecol., 1995, vol. 173, no. 2, pp. 488-495, The Library of the National Medical Society (XP-002305923). |
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| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.